

Applicants:

C.F. Ivory et al.

Attorney Docket No.: WSUR117329

Application No.: 09/885,439

Group Art Unit: 1743

Filed:

June 19, 2001

Examiner: J.T. Baron

Title:

DEVICE AND METHOD FOR FOCUSING SOLUTES IN AN ELECTRIC

FIELD GRADIENT

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

TO THE COMMISSIONER FOR PATENTS:

Washington State University Research Foundation, a nonprofit corporation of the state of Washington, having a principal place of business at 1610 N.E. Eastgate Blvd., Pullman, Washington 99163, represents that it is the owner of the entire right, title, and interest in the above-identified patent application by an assignment from the inventors of the above-identified patent application. The assignment was recorded in the U.S. Patent and Trademark Office at Reel 010139, Frame 0009.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer of prior U.S. Patent No. 6,277,258, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to prior U.S. Patent No. 6,277,258, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors, or assigns.

The owner does not disclaim any terminal part of any patent granted on the aboveidentified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of prior U.S. Patent No. 6,277,258 in the event that said prior U.S. Patent No. 6,277,258 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

06/28/2005 SSITHIB1 00000062 09885439

04 FC:2814

65.00 OP

LAW OFFICES OF CHRISTENSEN O'CONNOR JOHNSON KINDNESSPLIC 1420 Fifth Avenue **Suite 2800** Seattle, Washington 98101 206.682.8100

The terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

WASHINGTON STATE UNIVERSITY RESEARCH FOUNDATION

13 June 2005

Name: Mary J. Edwards
Title: Business Manager

KBB:cj